

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941- JEC-ACE
-v-)	
)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON <i>et al.</i> ,)	
)	Rio Gallina, Section 5
Defendants.)	
_____)	

ORDER SETTING PRETRIAL CONFERENCE

TO: Eli Maestas
Jose L. Chacon
Estate of Eduvigen Serrano
Martha Cordova
Frances Cordova
Leo Chavez
Onofre Sanchez
Tomas Sanchez
Richard Harvey

THIS MATTER is before the Special Master on the Request for Pretrial Conference filed by the State of New Mexico, *ex rel.* State Engineer ("State") on August 23, 2002 (Docket No. 6827).

The Defendants named above filed claims to water rights from the Rio Gallina in this adjudication. The May 3, 2002 Pretrial Order (No. 6699) requires the Defendants to make initial discovery disclosures to the State no later than July 30, 2002. They have failed to do so. Hearings on Section 5 disputed claims will be concluded no later than March 31, 2003; the discovery schedules set forth in the May 3 Pretrial Order, therefore, must be followed. Federal Rule of Civil Procedure 16 (f) permits the Court to sanction

parties which disobey a scheduling order, fail to appear at a scheduling or pretrial conference, or are substantially unprepared to participate in the conference.

Being fully advised in the premises, I find that the Motion is well-taken, and the request for a pretrial conference is GRANTED.

IT IS ORDERED, therefore, that Defendants named above shall appear before the Special Master on Wednesday, September 4 at 1:30 p.m. in the Small Courtroom at the United States District Court, Federal Place, Santa Fe, New Mexico. Defendants shall be prepared to discuss their water rights claims and the evidence they have which will support those claims. Pursuant to Federal Rule of Civil Procedure 16(f), the failure to appear and participate in good faith will result in the entry of orders which deny the water rights claims made previously.

IT IS FURTHER ORDERED that the State will serve copies of this notice on the above-named Defendants as expeditiously as possible.

/electronic signature/
SPECIAL MASTER VICKIE L. GABIN